

**Meal Service Timing Flexibility Waiver Request for SFAs Operating Food Service During
Unanticipated School Closures Due to COVID-19**
Louisiana Department of Education (LDOE) Division of Nutrition Support (DNS)

1. State Agency staff contact information:

Louisiana Department of Education Division of Nutrition Support
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2. Region: Southwest Region

3. Eligibility service providers participating in waiver and affirmation that they are in good standing:

Any LDOE DNS approved SFA in good standing, operating food service during an unanticipated school closure due to the COVID-19 outbreak.

SFAs that would operate under this waiver are operating in communities where schools are closed in connection with the COVID-19 outbreak.

4. Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Section 12(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]:

Challenge:

While there are no large outbreaks in Louisiana at this time, we continue to monitor the situation to be prepared in the event of school closures.

“Social distancing” is integral to the control of the COVID-19. USDA regulations require consumption of meals at meal sites, thus increasing the potential of exposure between programs participants.

Goal:

Provide up to two meals, per child, per day. While still taking into consideration food safety requirements, the LDOE is requesting for USDA to allow flexibility for the service of multiple meals for the same day (or multiple days) to participants in a manner that minimizes potential exposure to COVID-19.

Expected Outcomes:

Provide meals to participants, while limiting their interaction and proximity to other participants, therefore decreasing the risk of COVID-19 exposure.

5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:

The Louisiana Department of Education (LDOE) Division of Nutrition Support (DNS) request a waiver of regulations at 7 CFR 225.16 (c) (1-2).

(c) *Time restrictions for meal service.* (1) Three hours must elapse between the beginning of one meal service, including snacks, and the beginning of another, except that 4 hours must elapse between the service of a lunch and supper when no snack is served between lunch and supper. The service of supper shall begin no later than 7 p.m., unless the State agency has granted a waiver of this requirement due to extenuating circumstances. These waivers shall be granted only when the State agency and the sponsor

ensure that special arrangements shall be made to monitor these sites. In no case may the service of supper extend beyond 8 p.m. The time restrictions in this paragraph shall not apply to residential camps.

(2) The duration of the meal service shall be limited to two hours for lunch or supper and one hour for all other meals.

6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:

If approved, LDOE DNS will provide technical assistance to sponsors on the process and procedure for planning and preparing a unitized meal and accurate counting and claiming. There are no impacts on technology, State systems, or monitoring.

7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section (l)(2)(A)(ii) of the NSLA]:

There are currently no State level regulatory barriers related to this specific issue.

8. Anticipated challenges State or eligible service providers may face with the waiver implementation:

Our agency does not anticipate that the establishment of this statewide waiver will pose any additional challenges at the state or sponsor level since schools operating under the waiver would essentially operate the same as a normal school day. Alternatively, we anticipate this waiver will reduce challenges faced by regular school sites that experience unanticipated school closure because of COVID-19. Children can still benefit from meal service and schools can use encumbered resources.

9. Description of how the waiver will not increase the overall cost of the Program to the Federal Government. If there are anticipated increases, confirm that the cost will be paid from non-Federal funds. [Section 12(l)(1)(A)(ii) of the NSLA]:

The establishment of this statewide waiver will not increase the overall cost of the Program to the Federal Government since these programs would be operating in situations where normal USDA Child Nutrition programs (NSLP/SBP) are closed due to COVID-19. There are no additional staff costs to implement this waiver.

10. Anticipated waiver implementation date and time period:

The anticipated waiver implementation start date is March 13, 2020 and is to remain in effect through March 13, 2021.

11. Proposed monitoring and review procedures:

State agency staff who will approve individual school district's written requests to implement the waiver will monitor implementation of this waiver.

12. Proposed reporting requirements (include type of data and due dates(s) to FNS:

No later than March 13, 2021, LDOE DNS will report to FNS the number of school districts that used this waiver, including the number of unanticipated operating days and meals claimed.

13. Link to or copy of the public notice informing the public about the proposed waiver [Section 12(l)(1)(A)(ii) of the NSLA]:

Notice to be released:

The Louisiana Department of Education (LDOE) Division of Nutrition Support (DNS) is seeking additional waivers from the United States Department of Agriculture, Food and Nutrition Services. The purpose of these waivers is to support schools and communities in providing meals to children in areas experiencing extended school closures in response to COVID-19.

<https://cnp.doe.louisiana.gov/breakingnews/Meal%20Service%20Timing%20Flexibility%20Waiver%20Request%20for%20SFAs%20Operating%20Food%20Service%20During%20Unanticipated%20School%20Closures%20Due%20to%20COVID-19.pdf>

14. Signature and title of requesting official:



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(225)342-3720

TO BE COMPLETED BY FNS REGIONAL OFFICE:

FNS Regional Offices are requested to ensure the questions have been adequately addressed by the State agency and formulate an opinion and justification for a response to the waiver request based on their knowledge, experience and work with the State.

Date request was received at Regional Office:

- Date Received: _____
 - ☐ Check this box to confirm that the State agency has provided public notice in accordance with Section 12(I)(1)(A)(ii) of the NSLA
- **Regional Office Analysis and Recommendations:**
 - ☐ Recommend Approval
 - ☐ Recommend Denial